

JUN 01 2005

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8  
I hereby certify that this correspondence, totaling 21 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9306 (Central number) on the below date:  
Date: June 1, 2005 Name: Gregory H. Zayia - Reg. No. 48,059 Signature: Gregory Zayia

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Ernesto A. Brovelli et al.  
Appln. No.: 09/575,307  
Filed: May 19, 2000  
For: Echinacea Induction of Phase II Enzymes  
Attorney Docket No: 3086/1154  
Altcor Ref. No. NP4053

Examiner: Michael V. Meller  
Art Unit: 1654

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Transmittal Letter (in duplicate); Response; Petition and Fee for Extension of Time (In duplicate)
- Return Receipt Postcard

Fee calculation:

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$120.00 for a one-month extension of time under 37 CFR § 1.136(a).
- A petition or processing fee in an amount of \$        under 37 CFR § 1.17(        ).
- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total					x \$25=			x \$50=	
Indep.					x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$190=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- A check in the amount of \$        is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$120.00. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$        (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date June 1, 2005

Gregory Zayia  
Gregory H. Zayia (Reg. No. 48,059)

JUN 01 2005

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8  
I hereby certify that this correspondence, totaling 21 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9308 (Central number) on the below date:  
Date: June 1, 2005 Name: Gregory H. Zayia Reg. No. 48,059 Signature: Gregory Zayia

BRINKS  
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GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Ernesto A. Brovelli et al.  
Appln. No.: 09/575,307  
Filed: May 19, 2000  
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Attorney Docket No: 3086/1154  
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Examiner: Michael V. Meller  
Art Unit: 1654

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

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- A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_\_).
- An additional filing fee has been calculated as shown below:

				Small Entity		Not a Small Entity		
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	Minus			x \$25=			x \$50=	
Indep.	Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim				+\$180=			+\$360=	
				Total	\$		Total	\$

Fee payment:

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Respectfully submitted,

Date June 1, 2005

Gregory Zayia  
Gregory H. Zayia (Reg. No. 48,059)

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I hereby certify that this correspondence is being sent via facsimile to the Commissioner for Patents at the United States Patent and Trademark Office centralized facsimile number 703-872-9306 on

June 1, 2005

Gregory H. Zayla, Ph.D. - Registration No. 48,059

Name of Applicant, Assignee or Registered Representative

*Gregory Zayla*  
Signature

June 1, 2005  
Date of Transmission

Our Case No. 3086/1154  
Altacor Ref. No. NP4053

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Ernesto A. Brovelli et al.	)	
Serial No. 09/575,307	)	Examiner Michael V. Meller
Filing Date: May 19, 2000	)	Group Art Unit No. 1654
For: Echinacea Induction of Phase II Enzymes	)	

### RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed February 1, 2005, Applicants respectfully request reconsideration in light of the following Amendment and Remarks.

Amendments to the Specification begin on page 2 of this communication.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this communication.

Remarks begin on page 8 of this communication.